

AMENDED IN ASSEMBLY MAY 2, 2005

AMENDED IN ASSEMBLY APRIL 21, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## ASSEMBLY BILL

**No. 171**

**Introduced by Assembly Member Yee**

January 20, 2005

---

An act to add Chapter 6.4 (commencing with Section 52059.1) to Part 28 of the Education Code, relating to pupils.

### LEGISLATIVE COUNSEL'S DIGEST

AB 171, as amended, Yee. Pupils.

Existing law establishes various educational programs for pupils in elementary, middle, and high school to be administered by the State Department of Education.

This bill would establish the Comprehensive Pupil Learning Support System, *a pilot program*, to ensure that each pupil will be a productive and responsible learner and citizen. The bill would require the State Department of Education to administer and implement the program, *as specified*, through ~~existing resources~~ *funds* that are *made* available to the department for the purposes of the program. The bill would require the department to adopt regulations to implement the program.

The bill would require each elementary, middle, and high school to develop an individual schoolsite plan, as specified, based on guidelines to be developed by the State Department of Education. The bill would require each individual schoolsite plan to, among other things, enhance the capacity of each school to handle transition concerns confronting pupils and their families, enhance home involvement, provide special assistance to pupils and families, and incorporate outreach efforts to the community.

By requiring public schools to perform additional duties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. The Legislature hereby finds and declares all of  
2     the following:

3     (a) The UCLA Center for Mental Health in Schools, the  
4     WestEd Regional Educational Laboratory, the State Department  
5     of Education, and other educational entities have adopted the  
6     concept of learning support within ongoing efforts to address  
7     barriers to pupil learning and to enhance healthy development.

8     (b) Learning supports are the resources, strategies, and  
9     practices that provide physical, social, emotional, and intellectual  
10    supports intended to enable all pupils to have an equal  
11    opportunity for success at school. To accomplish this goal, a  
12    comprehensive, multifaceted, and cohesive learning support  
13    system should be integrated with instructional efforts and  
14    interventions provided in classrooms and schoolwide to address  
15    barriers to learning and teaching.

16    (c) There is a growing consensus among researchers,  
17    policymakers, and practitioners that stronger collaborative efforts  
18    by families, schools, and communities are essential to pupil  
19    success.

20    (d) An increasing number of American children live in  
21    communities where caring relationships, support resources, and a  
22    profamily system of education and human services do not exist to  
23    protect children and prepare them to be healthy, successful,  
24    resilient learners.

1 (e) Especially in those communities, a renewed partnership of  
2 schools, families, and community members must be created to  
3 design and carry out system improvements to provide the  
4 learning support required by each pupil in order to succeed.

5 (f) Learning support is the collection of resources, strategies  
6 and practices, and environmental and cultural factors extending  
7 beyond the regular classroom curriculum that together provide  
8 the physical, emotional, and intellectual support that every pupil  
9 needs to achieve high-quality learning.

10 (g) A school that has an exemplary learning support system  
11 employs internal and external supports and services needed to  
12 help pupils become good parents, good neighbors, good workers,  
13 and good citizens of the world.

14 (h) The overriding philosophy is that educational success,  
15 physical health, emotional support, and family and community  
16 strength are inseparable.

17 (i) To implement the concept of learning supports, the state  
18 must systematically realign and redefine new and existing  
19 resources into a comprehensive system that is designed to  
20 strengthen pupils, schools, families, and communities rather than  
21 continuing to respond to these issues in a piecemeal and  
22 fragmented manner.

23 (j) Development of learning supports at every school is  
24 essential in meeting the needs arising from the federal No Child  
25 Left Behind Act of 2001 and the Individuals with Disabilities  
26 Education Act, (IDEA). This includes the enhancement of  
27 academic performance~~and~~, the reduction of pupil absences,  
28 behavior problems, inappropriate referrals for special education,  
29 and the number of pupils dropping out of schools. The state  
30 needs to ensure that each pupil is able to read, write, and relate  
31 effectively, has self-worth, has meaning-based learning  
32 opportunities, and has positive support networks from their peers,  
33 teachers, pupil support professionals, family members, and other  
34 school and community stakeholders.

35 (k) It is essential that each pupil becomes literate, confident,  
36 caring, and capable of thinking critically, solving problems,  
37 communicating effectively, and functioning as a contributing  
38 member of society.

39 (l) The education climate in the public schools of the state, as  
40 measured by overcrowded schools, absenteeism, increasing

1 substance and alcohol abuse, school violence, sporadic parental  
2 involvement, dropouts, and other indicators, suggest that the state  
3 is in immediate need of learning supports.

4 (m) A learning support system needs to be developed at every  
5 school to ensure that pupils have essential support for learning,  
6 from kindergarten to high school.

7 (n) A learning support system should encompass school-based  
8 and school-linked activities designed to enable teachers to teach  
9 and pupils to learn. It should include a continuum of  
10 interventions that promote learning and development, prevent  
11 and respond early after the onset of problems, and provide  
12 correctional, and remedial programs and services. In the  
13 aggregate, a learning support system should create a supportive  
14 and respectful learning environment at each school.

15 (o) A learning support system is a primary and essential  
16 component at every school, designed to support learning and  
17 provide each pupil with an equal opportunity to succeed at  
18 school. The learning support system should be fully integrated  
19 into all school improvement efforts.

20 (p) The State Department of Education, other state agencies,  
21 local school districts, and local communities all devote resources  
22 to addressing learning barriers and promoting healthy  
23 development. Too often these resources are deployed in a  
24 fragmented, duplicative, categorical manner that results in misuse  
25 of sparse resources and failure to reach all the pupils and families  
26 in need of support. A learning support system will provide a  
27 unifying concept and context for linking with other organizations  
28 and agencies as needed and can be a focal point for braiding  
29 school and community resources into a comprehensive,  
30 multifaceted, and cohesive component at every school.

31 (q) It is the intent of the Legislature that the Comprehensive  
32 Pupil Learning Support System (CPLSS) is fully integrated with  
33 other efforts to improve instruction and focuses on maximizing  
34 the use of resources at individual schools and at the district level.  
35 Collaborative arrangements with community resources shall be  
36 developed with a view to filling any gaps in CPLSS components.

37 SEC. 2. Chapter 6.4 (commencing with Section 52059.1) is  
38 added to Part 28 of the Education Code, to read:

CHAPTER 6.4.

COMPREHENSIVE PUPIL LEARNING SUPPORT SYSTEM

52059.1. (a) There is hereby established the Comprehensive Pupil Learning Support System (CPLSS). ~~When fully implemented, the CPLSS shall be conducted with existing personnel and program resources, without the need for additional or new appropriations.~~ *pilot program, which shall accomplish all of the following objectives:*

(1) *Increase the success of the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) in reducing the achievement gap among pupils in California.*

(2) *Address the findings of the Harvard University Civil Rights Project, including the difference in the high school graduation rate of 71 percent for all pupils in California and rate of 41 percent for pupils who are of certain minority groups.*

(3) *Address the plateau effect of current pupil test scores.*

(b) It is the intent of the Legislature in establishing the CPLSS to provide pupils with a support system to ensure that they will be productive and responsible learners and citizens. It is further the intent of the Legislature that the CPLSS ensure that pupils have an equal opportunity to succeed at school and to do so in a supportive, caring, respectful, and safe learning environment.

(c) It is the intent of the Legislature that these goals be accomplished by involving pupils, teachers, pupil support professionals, family members, and other school and community stakeholders in the development, daily implementation, monitoring, and maintenance of a learning support system at every school and by braiding together the human and financial resources of relevant public and private agencies.

52059.2. The department, in collaboration with participating school districts, knowledgeable stakeholders, experts from institutions of higher education, and communities, shall facilitate the establishment of the CPLSS by doing all of the following:

(a) Developing guidelines and strategic procedures to assist the establishment of the CPLSS component at each school.

(b) Providing ongoing technical assistance, leadership training, and other capacity building supports.

(c) Rethinking the roles of pupil services personnel and other support staff for pupils and integrating their responsibilities into

1 the educational program in a manner that meets the needs of  
2 pupils, teachers, and other educators.

3 (d) Detailing procedures for establishing infrastructure  
4 mechanisms between schools and school districts.

5 (e) Coordinating with other state, local, and community  
6 agencies that can play a role in strengthening the CPLSS.

7 (f) Ensuring that the CPLSS is integrated within the  
8 organization of participating schools, school districts, and the  
9 department in a manner that reflects the individual schoolsite  
10 plans developed by schools pursuant to subdivision (a) of Section  
11 52059.3.

12 (g) Enhancing collaboration with state and local agencies and  
13 other relevant resources to facilitate local collaboration and  
14 braiding of resources.

15 (h) Including an assessment of the CPLSS in all future school  
16 reviews and accountability reports.

17 52059.3. (a) Each elementary, middle, and high school ~~shall~~  
18 ~~develop a comprehensive component for addressing barriers to~~  
19 ~~learning and teaching as part of its individual schoolsite plan,~~  
20 ~~based on the identified needs and resources of the school, using~~  
21 *shall establish a school-community council of stakeholders to*  
22 *develop a CPLSS component of its individual schoolsite plan*  
23 *based on the assessed needs and strengths of the school,*  
24 *pursuant to this section, including a school action plan based on*  
25 *the guidelines developed by the department pursuant to Section*  
26 *52059.2.*

27 (b) Each individual schoolsite plan shall be developed with the  
28 purpose of doing all of the following:

29 (1) Enhance the capacity of teachers to address problems,  
30 engage and re-engage pupils in classroom learning, and foster  
31 social, emotional, intellectual, and behavioral development. The  
32 component of the individual schoolsite plan required by this  
33 paragraph shall emphasize ensuring that teacher training and  
34 assistance includes strategies for better addressing learning,  
35 behavior, and emotional problems within the context of the  
36 classroom. Interventions may include, but not be limited to, all of  
37 the following:

38 (A) Addressing a greater range of pupil problems within the  
39 classroom through an increased emphasis on strategies for  
40 positive social and emotional development, problem prevention,

1 and accommodation of differences in the motivation and  
2 capabilities of pupils.

3 (B) Classroom management that emphasizes re-engagement of  
4 pupils in classroom learning and minimizes over-reliance on  
5 social control strategies.

6 (C) Collaboration with pupil support staff and the home in  
7 providing additional assistance to foster enhanced responsibility,  
8 problem solving, resilience, and effective engagement in  
9 classroom learning.

10 (2) Enhance the capacity of schools to handle transition  
11 concerns confronting pupils and their families. The component of  
12 the individual schoolsite plan required by this paragraph shall  
13 emphasize ensuring that systems and programs are established to  
14 provide supports for the many transitions pupils, their families,  
15 and school staff encounter. Interventions may include, but are not  
16 limited to, all of the following:

17 (A) Welcoming and social support programs for newcomers.

18 (B) Before, during, and afterschool programs to enrich  
19 learning and provide safe recreation.

20 (C) Articulation programs to support grade transitions.

21 (D) Addressing transition concerns related to vulnerable  
22 populations, including, but not limited to, those in homeless  
23 education, migrant education, and special education programs.

24 (E) Vocational and college counseling and school-to-career  
25 programs.

26 (F) Support in moving to postschool living and work.

27 (G) Outreach programs to re-engage truants and dropouts in  
28 learning.

29 (3) Respond to, minimize the impact of, and prevent crisis.  
30 The component of the individual schoolsite plan required by this  
31 paragraph shall emphasize ensuring that systems and programs  
32 are established for emergency, crisis, and followup responses and  
33 for preventing crises at a school and throughout a complex of  
34 schools. Interventions may include, but are not limited to, all of  
35 the following:

36 (A) Establishment of a crisis team to ensure immediate  
37 response when emergencies arise, and to provide aftermath  
38 assistance as necessary and appropriate so that pupils are not  
39 unduly delayed in re-engaging in learning.

1 (B) Schoolwide and school-linked prevention programs to  
2 enhance safety at school and to reduce violence, bullying,  
3 harassment, abuse, and other threats to safety in order to ensure a  
4 supportive and productive learning environment.

5 (C) Classroom curriculum approaches focused on preventing  
6 crisis events, including, but not limited to, violence, suicide, and  
7 physical or sexual abuse.

8 (4) Enhance home involvement. The component of the  
9 individual schoolsite plan required by this paragraph shall  
10 emphasize ensuring there are systems, programs, and contexts  
11 established that lead to greater involvement to support the  
12 progress of pupils with learning, behavior, and emotional  
13 problems. Interventions may include, but are not limited to, all of  
14 the following:

15 (A) Interventions that address specific needs of the caretakers  
16 of a pupil, including, but not limited to, providing ways for them  
17 to enhance literacy and job skills and meet their basic obligations  
18 to the children in their care.

19 (B) Interventions for outreaching and re-engaging homes that  
20 have disengaged from school involvement.

21 (C) Improved systems for communication and connection  
22 between home and school.

23 (D) Improved systems for home involvement in decisions and  
24 problem solving affecting the pupil.

25 (E) Enhanced strategies for engaging the home in supporting  
26 the basic learning and development of their children to prevent or  
27 at least minimize learning, behavior, and emotional problems.

28 (5) Outreach to the community in order to build linkages. The  
29 component of the individual schoolsite plan required by this  
30 paragraph shall emphasize ensuring that there are systems and  
31 programs established to provide outreach to and engage  
32 strategically with public and private community resources to  
33 support learning at school of pupils with learning, behavior, and  
34 emotional problems. Interventions may include, but are not  
35 limited to, all of the following:

36 (A) Training, screening, and maintaining volunteers and  
37 mentors to assist school staff in enhancing pupil motivation and  
38 capability for school learning.

39 (B) Job shadowing and service learning programs to enhance  
40 the expectations of pupils for postgraduation opportunities.



1 (C) Enhancing limited school resources through linkages with  
2 community resources, including, but not limited to, libraries,  
3 recreational facilities, and postsecondary education institutions.

4 (D) Enhancing community and school connections to heighten  
5 a sense of community.

6 (6) Provide special assistance for pupils and families as  
7 necessary. The component of the individual schoolsite plan  
8 required by this paragraph shall ensure that there are systems and  
9 programs established to provide or connect with direct services  
10 when necessary to address barriers to the learning of pupils at  
11 school. Interventions may include, but are not limited to, all of  
12 the following:

13 (A) Special assistance for teachers in addressing the problems  
14 of specific individuals.

15 (B) Processing requests and referrals for special assistance,  
16 including, but not limited to, counseling or special education.

17 (C) Ensuring effective case and resource management when  
18 pupils are receiving direct services.

19 (D) Connecting with community service providers to fill gaps  
20 in school services and enhance access for referrals.

21 (c) The development, implementation, monitoring, and  
22 maintenance of the individual schoolsite plan shall include, but  
23 not be limited to, all of the following components:

24 (1) Ensuring effective school mechanisms for assisting  
25 individuals and families with ~~family~~ decisionmaking and timely,  
26 coordinated, and monitored referrals to school and community  
27 services when indicated. The mechanisms shall draw on the  
28 expertise of pupil support service personnel at schools such as  
29 nurses, psychologists, counselors, social workers, speech and  
30 language pathologists, resource specialists, special education  
31 teachers, and child welfare attendance workers.

32 (2) A mechanism for an administrative leader, support staff for  
33 pupils, and other stakeholders to work collaboratively at each  
34 school with a focus on strengthening the individual schoolsite  
35 plan.

36 (3) A plan for capacity building and regular support for all  
37 stakeholders involved in addressing barriers to learning and  
38 promoting healthy development.

39 (4) Training and technical assistance, and accountability  
40 reviews as necessary.

1 (5) Minimizing duplication and fragmentation between school  
2 programs.

3 (6) Preventing problems and providing a safety net of early  
4 intervention.

5 (7) Responding to pupil and staff problems in a timely  
6 manner.

7 (8) Connecting with a wide range of school and community  
8 stakeholder resources.

9 (9) Recognizing and responding to the changing needs of all  
10 pupils while promoting the success and well-being of each pupil  
11 and staff member.

12 (10) Creating a supportive, caring, respectful, and safe  
13 learning environment.

14 52059.4. CPLSS individual schoolsite plans shall do all of  
15 the following:

16 (a) Be an essential component of all school improvement  
17 planning.

18 (b) Be fully integrated with plans to improve instruction.

19 (c) Focus on maximizing use of available resources at the  
20 school, school complex, and school district levels.

21 ~~(d) Reflect all of the following:~~ *The CPLSS component of the*  
22 *individual schoolsite plan* shall reflect all of the following:

23 (1) School policies, goals, guidelines, priorities, activities,  
24 procedures, and outcomes relating to implementing the CPLSS.

25 (2) Effective leadership and staff roles and functions for the  
26 CPLSS.

27 (3) A thorough infrastructure for the CPLSS.

28 (4) Appropriate resource allocation.

29 (5) Integrated school/community collaboration.

30 (6) Regular capacity building activity.

31 (7) Delineated standards, quality and accountability indicators,  
32 and data collection procedures.

33 52059.5. (a) For the purposes of this section, “complex of  
34 schools” means a group of elementary, middle, or high schools  
35 associated with each other due to the natural progression of  
36 attendance linking the schools.

37 (b) To ensure that the CPLSS is developed cohesively,  
38 efficiently uses community resources, and capitalizes on  
39 economies of scale, CPLSS infrastructure mechanisms shall be  
40 established at the school and district level.

(c) Complexes of schools are encouraged to designate a pupil support staff member to facilitate a family complex CPLSS team consisting of representatives from each participating school.

(d) Each school district implementing a CPLSS shall establish mechanisms designed to build the capacity of CPLSS components at each participating school, including, but not limited to, providing technical assistance and training for the establishment of effective CPLSS components.

52059.6.(a) An independent agency selected by the department shall evaluate the success of the CPLSS component according to the following criteria:

(1) Improved systems for promoting prosocial pupil behavior and the well-being of staff and pupils, preventing problems, intervening early after problems arise, and providing specialized assistance to pupils and families.

(2) Increasingly supportive, caring, respectful, and safe learning environments at schools.

(3) Enhanced collaboration between the school and community.

(4) The integration of the CPLSS component with all other school improvement plans.

(5) Fewer inappropriate referrals of pupils to special education programs or other special services.

(b) The evaluation shall consider all of the following items in determining the impact of the CPLSS, and the findings related to each item shall be included in the School Accountability Report Card, pursuant to Section 33126:

(1) Pupil attendance.

(2) Pupil grades.

(3) Academic performance.

(4) Pupil behavior.

(5) Home involvement.

(6) Teacher retention.

(7) Graduation rates ~~and grade promotion for high school pupils.~~

(8) *Grade promotion for elementary, middle, and junior high schools.*

(9) *Truancy rates.*

~~(8)~~

(10) Literacy development.

1     ~~(9)~~  
2     ~~(11)~~ Other indicators required by the federal No Child Left  
3 Behind Act of 2001 (20 U.S.C. Sec. 6301 et. seq.) and included  
4 in the California Healthy Kids Survey.

5     ~~(e) The evaluation shall be designed to separate findings in~~  
6 ~~order to determine the impact for different populations and to~~  
7 ~~contrast schools at different stages of development with respect~~  
8 ~~to their CPLSS.~~

9     ~~(d) The department shall develop a phase-in and sustainability~~  
10 ~~plan pursuant to this act. Phase 1 shall involve the initiating the~~  
11 ~~development of a CPLSS in five volunteer school districts across~~  
12 ~~the state during the 2006-07 school year. During Phase 2, the~~  
13 ~~department shall develop a scale-up plan to phase in a CPLSS in~~  
14 ~~all other school districts across the state over a 10-year period.~~

15     ~~(c) The evaluation shall compare the CPLSS components of~~  
16 ~~schools that have similar records of pupil achievement at 3, 5,~~  
17 ~~and 10 years after implementation of the CPLSS components.~~

18     ~~SEC. 3. A local educational agency may use funds made~~  
19 ~~available pursuant to Title I of the No Child Left Behind Act of~~  
20 ~~2001 (20 U.S.C. Sec. 6301 et seq.), to the extent allowable for~~  
21 ~~the purposes of implementing this act, if approved by a schoolsite~~  
22 ~~council.~~

23     ~~SEC. 3. (a) The State Department of Education shall develop~~  
24 ~~a request for a grant application, to be submitted by school~~  
25 ~~districts pursuant to this act. The State Department of Education~~  
26 ~~shall award funding pursuant to this act to five school districts~~  
27 ~~based on the following criteria:~~

28     ~~(1) The score of the school district on the grant application, as~~  
29 ~~determined by the State Department of Education.~~

30     ~~(2) Current receipt by the school district of funding pursuant~~  
31 ~~to Title I of the federal No Child Left Behind Act of 2001 (20~~  
32 ~~U.S.C. Sec. 6301 et seq.).~~

33     ~~(3) The geographic and population characteristics of the~~  
34 ~~school district.~~

35     ~~(b) State funds that are appropriated for purposes of this act~~  
36 ~~shall be allocated as follows:~~

37     ~~(1) Four hundred thousand dollars (\$400,000) shall be~~  
38 ~~apportioned to each school district that is selected by the State~~  
39 ~~Department of Education pursuant to subdivision (a) per~~  
40 ~~calendar year for three years. Each of these school districts shall~~

1 *identify a feeder pattern of one elementary school, one middle or*  
2 *junior high school, and one high school to receive funding.*

3 *(2) One million dollars (\$1,000,000) shall be apportioned to*  
4 *the State Department of Education per year for three years for*  
5 *all of the following purposes:*

6 *(A) To hire one education programs consultant and one*  
7 *analyst.*

8 *(B) To contract for training and technical assistance services.*

9 *(C) To contract for formative and summative evaluations.*

10 ~~SEC. 4. The Legislature finds and declares all of the~~  
11 ~~following:~~

12 ~~(a) Implementation of Phases 1 and 2, including administrative~~  
13 ~~and capacity building costs for systemic changes and initial~~  
14 ~~implementation, will require additional funding of one hundred~~  
15 ~~thousand dollars (\$100,000) for each schoolsite for each of the~~  
16 ~~two years.~~

17 ~~(b) Implementation will not require additional funding for~~  
18 ~~each of the eight ensuing years in which the CPLSS is developed~~  
19 ~~at every school in the state.~~

20 ~~(c) Ongoing and summative cost-effectiveness evaluation of~~  
21 ~~the degree to which the CPLSS enables schools to address~~  
22 ~~barriers to learning and teaching will cost one million dollars~~  
23 ~~(\$1,000,000) over the 10-year period.~~

24 ~~SEC. 5.~~

25 ~~SEC. 4.~~ If the Commission on State Mandates determines that  
26 this act contains costs mandated by the state, reimbursement to  
27 local agencies and school districts for those costs shall be made  
28 pursuant to Part 7 (commencing with Section 17500) of Division  
29 4 of Title 2 of the Government Code.